

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**MELINDA STALLWORTH**, individually  
and on behalf of all others similarly situated,

*Plaintiff,*

vs.

**MIDLAND CREDIT MANAGEMENT,  
INC.,**

*Defendant.*

Case No.

**NOTICE OF REMOVAL**

**TO: THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS:**

Defendant Midland Credit Management, Inc. (“Defendant”), by and through the undersigned counsel and pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446, hereby files this Notice of Removal of this civil action from the Circuit Court of Cook County, Illinois County Department, Chancery Division, in which it is now pending, to the United States District Court for the Northern District of Illinois, Eastern Division.

In support of this Notice of Removal, Defendant respectfully states the following:

**I. BACKGROUND**

1. On or about March 17, 2021, Plaintiff Melinda Stallworth (“Plaintiff”) filed a complaint against Defendant in the Circuit Court of Cook County, Illinois, Chancery Division, bearing Case No.: 2021CH01295. (A true and correct copy of the Complaint is part of Composite **Exhibit 1** attached hereto.)

2. On or about March 30, 2021, Plaintiff served the Complaint on Defendant. (A true and correct copy of the Notice of Service of Process is part of Composite **Exhibit 1** attached hereto.)

3. In her Complaint, Plaintiff purports to allege that Defendant violated the Fair Debt Collections Practices Act, 15 U.S.C. § 1692 *et seq.* (Complaint at ¶¶ 33, 35, 39-41.)

4. Plaintiff also purports to allege that Defendant violated the Illinois Collection Agency Act, 225 ILCS 425/1 *et seq.* (Complaint at ¶¶ 41-42.)

## **II. FEDERAL QUESTION JURISDICTION**

5. Under 28 U.S.C. § 1331, this Court has original federal question jurisdiction over this action because Plaintiff's claim pursuant to the Fair Debt Collections Practices Act arises under the laws of the United States. Therefore, this case is properly removable to this Court under 28 U.S.C. §§ 1441 and 1446.

6. This Court also has supplemental jurisdiction over Plaintiff's state law claim Plaintiff's claim brought under the Illinois Collection Agency Act as it "form[s] part of the same case or controversy." 28 U.S.C. § 1367(a).

## **III. COMPLIANCE WITH STATUTORY REQUIREMENTS**

7. Venue is proper in this Court because this district and division encompass the Circuit Court of Cook County, Illinois County Department, Chancery Division, the forum from which the State Court Action has been removed. *See* 28 U.S.C. § 1441(a).

8. In accordance with 28 U.S.C. § 1446(b)(1), this Notice of Removal is timely filed within 30 days of Plaintiff's service of a copy of the Complaint.

9. On April 28, 2021, Defendant filed with the Clerk of the Circuit Court of Cook County, Chancery Division, a Notice of Filing Notice of Removal, a copy of which is attached hereto as **Exhibit 2**.

10. Defendant has provided written notice to Plaintiff by contemporaneously serving his counsel with this Notice of Removal.

11. By filing this Notice of Removal, Defendant does not waive any defenses, rights, claims, actions, or set-offs to which they are or may be entitled in law or at equity, all which defenses, rights, claims, actions, or set-offs Defendant hereby expressly reserves.

WHEREFORE, for the reasons stated above, this action is removable to this Court pursuant to 28 U.S.C. §§ 1331, 1367, 1441, and 1446 under this Court's federal question jurisdiction and supplemental jurisdiction.

Dated: April 28, 2021

Respectfully Submitted,

**MIDLAND CREDIT MANAGEMENT, INC.**

By: /s/Punit K. Marwaha

Punit K. Marwaha

TROUTMAN PEPPER HAMILTON SANDERS LLP

227 W. Monroe Street, Suite 3900

Chicago, IL 60606

T: 312.759.5949

F: 312.759.1939

[punit.marwaha@troutman.com](mailto:punit.marwaha@troutman.com)

Ethan G. Ostroff

TROUTMAN PEPPER HAMILTON SANDERS LLP

222 Central Park Avenue, Suite 2000

Virginia Beach, VA 23462

T: 757.687.7541

F: 757.687.1541

[Ethan.ostroff@troutman.com](mailto:Ethan.ostroff@troutman.com)